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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/892,816	06/27/2001	Richard A. McGrew	042390.P11006	3501

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EXAMINER

SHAH, SAUMIL R

ART UNIT PAPER NUMBER

2186

DATE MAILED: 04/09/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

SK

Advisory Action

Application No.

09/892,816

Applicant(s)

MCGREW ET AL.

Examiner

Saumil Shah

Art Unit

2186

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 19 March 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. **ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).**

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 1-26.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

Continuation of 5. does NOT place the application in condition for allowance because: the attached comments are not deemed convincing for at least the following reasons:

With regard to the comments regarding claim 1 on pages 9 and 10 of the request for reconsideration, the comments are not commensurate with the claim. The claim does not recite a separate memory to be used for storing different locations within the flash memory.

With regard to the comments regarding claims 2-4 on page 10 of the request for reconsideration, these comments rely entirely on claim 1. Refer to the arguments for claim 1 above.

With regard to the comments regarding claim 5 on pages 10 and 11 of the request for reconsideration, there is no support provided by the applicant for the argument as to what the applicant considers "apparent". In fact, the cleaning up of a solid-state disk is exactly the same thing as reclaiming space within a flash memory.

With regard to the comments regarding claims 6-9 on page 11 of the request for reconsideration, these comments rely entirely on claim 1. Refer to the arguments for claim 1 above.

With regard to the comments regarding claim 10 on page 11 of the request for reconsideration, these comments rely entirely on claim 1. Refer the arguments for claim 1 above. Also, note figure 2 in Wells where a sector header translation table is clearly shown to be stored in RAM.

With regard to the comments regarding claim 11-13 on page 11 of the request for reconsideration, these comments rely entirely on claim 10. Refer to the arguments for claim 10 above.

With regard to the comments regarding claim 14 on pages 11 and 12 of the request for reconsideration, these comments rely entirely on claims 1 and 10. Refer to arguments for claims 1 and 10 above.

With regard to the comments regarding claims 15-17 on page 12 of the request for reconsideration, these comments rely entirely on claim 14. Refer to the arguments for claim 14 above.

With regard to the comments regarding claim 18 on page 12 of the request for reconsideration, these comments rely entirely on claim 1. Refer to arguments for claim 1 above.

With regard to the comments regarding claim 19-21 on page 12 of the request for reconsideration, these comments rely entirely on claim 18. Refer to the arguments for claim 18 above.

With regard to the comments regarding claim 22 on pages 12 and 13 of the request for reconsideration, these comments rely entirely on claims 1 and 5. Refer to arguments for claims 1 and 5 above.

With regard to the comments regarding claim 23-26 on page 13 of the request for reconsideration, these comments rely entirely on claim 22. Refer to the arguments for claim 22 above.

JS
09/08/04



BEHZAD JAMES PEIKARI
PRIMARY EXAMINER